

will be. As I said at the beginning of this, traditionally, nominees for key DOD roles receive bipartisan support in the Senate. In fact, I can't recall a single nominee for a top DOD position in the past 40 years who didn't garner at least one vote from the other party—either party.

Now, I hope President Biden keeps this in mind as he staffs the rest of his administration. We need nominees who will work with Members on both sides of the aisle, and those Members have to trust that person in return. Moving forward, I would urge President Biden to listen to his own calls for bipartisanship and unity and send us nominees who could be approved without controversy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I ask unanimous consent to be able to complete my remarks before the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NOMINATION OF JANET GARVIN MCCABE

Mr. CARPER. Madam President, the Senate has invoked cloture, and I just want to thank everybody who supported cloture on Janet McCabe's nomination to serve as Deputy Administrator of the Environmental Protection Agency.

I rise now to urge my colleagues to support the confirmation of this outstanding nominee, because Janet McCabe is exactly the leader that Administrator Michael Regan and the rest of the EPA need right now as we tackle some of the most pressing challenges in the Agency and in our Nation's history.

She will do so as one who understands the challenges and opportunities of working as a director of an air program, within a State environmental agency, to create a safe, healthy, and nurturing environment—not just for the citizens of some communities but for all communities and all ZIP Codes in Indiana, but also for the industry throughout her State.

I stand before you today, as my colleagues sometimes call me, as a recovering Governor. I understand how difficult it can be to bring a genuine interest to hear all points of view, to a job where Agency actions have consequences in every home and in every business. Perhaps Janet McCabe's colleague, Fred Cate, vice president of research at the University of Indiana put it best in an interview in the *IndyStar* recently. I just want to quote him. This is what he said:

"The reason she will be great at EPA is the same reason she was superb here". . . . "It's her ability to get people behind a common vision and get them to do things and not just talk about them."

Janet McCabe is a steady hand who has built a 30-year career of leadership in environmental protection. Her dedication and her know-how will be invaluable in protecting clean air and clean water, addressing the climate

crisis, and realizing environmental justice for the most vulnerable among us.

So it is no surprise that she has garnered support from 48 leading environmental organizations. At the same time, anyone who has worked with Ms. McCabe knows that she is a hard-working, pragmatic Hoosier to the core. She works well with Democrats. She works well with Republicans and with Independents. And that is why she has the public support of nine former EPA Deputy Administrators and Acting Administrators, including four Republican former EPA Deputy Administrators who served in the Reagan administration and who served in the administration of George Herbert Walker Bush and who served in the George W. Bush administration.

Her professional experience includes service in both Federal and State government, and that includes impressive tenures in both Indiana and Massachusetts government agencies, as well as years of leadership experience at EPA.

Based on that experience, Ms. McCabe knows that in order for any Federal Agency to be successful, its leaders must work closely and collaboratively with State and local partners, no matter which party is in charge.

Her pragmatic and inclusive style has also inspired support of the electric power industry. The Edison Electric Institute, which represents all U.S. investor-owned electric companies, enthusiastically supports Janet McCabe's nomination. This is an organization—listen to this—that speaks for companies that provide power to 220 million Americans. That is right—roughly two-thirds of all Americans.

Let me put it another way. Edison Electric Institute's members generate electricity for two-thirds of all Americans, and they have thrown their support behind the nomination of Janet McCabe for this post.

According to EEI president Tom Kuhn, he says Janet McCabe "has a strong commitment to public service and a solid track record of engaging with diverse stakeholders, including industry, as demonstrated by her time at the helm of both the Air Program at the Indiana Department of Environmental Management and EPA's Office of Air and Radiation."

That is a quote.

Ms. McCabe has their support because she has demonstrated time and again that environmental and economic progress go hand in hand. Let me say that again. She demonstrated time and again that cleaner air, clean water, environmental progress, and economic progress go hand in hand. They are inextricably linked. That ethic has earned Ms. McCabe the support of the American Chemistry Council, the Association of Equipment Manufacturers, and the BlueGreen Alliance, which represents some of our largest labor unions.

Ms. McCabe knows that while working to protect clean air and clean water and address climate change, the Agen-

cy must seize the opportunity to protect and create good-paying jobs across our country. She understands that the environmental and climate challenges we face are not just a problem. They offer economic and competitive opportunity.

President Biden's American Jobs Plan embraces these principles, and Janet McCabe has the experience and she has the intelligence to work with her Agency colleagues to translate them into action at EPA. President Biden's American Jobs Plan embraces these principles, and Janet McCabe has the experience and the intelligence to work with her Agency colleagues to translate them into action at EPA.

The Association of Equipment Manufacturers put it very well when they wrote last month, and this is their quote:

Ms. McCabe will bring the leadership and collaborative spirit needed to address difficult environmental challenges and improve regulatory processes, and ensure we can continue to build, power, and feed our country in an innovative and sustainable way.

Ms. McCabe will help ensure that everyone—everyone who has a stake in our environment and our economy—has a seat at the table. She has built a reputation of listening to everyone—everyone—addressing real economic concerns, making sure government policy helps people and communities at the local level.

Ms. McCabe embodies these values in her current role as director of Indiana University's Resilience Institute, where she works every day to help mayors and to help farmers and communities of all sizes and shapes prepare for and adapt to climate change.

I will borrow once again from Janet McCabe's colleague from the University of Indiana, Fred Cate, who said of her career success, and I quote him again:

"She understands that at the end of the day, if you don't bring along finance and industry and local buy-in, then we won't get things done."

I couldn't have said it better.

As Deputy Administrator, Janet's role will be the equivalent of a chief operating officer. She will be primarily focused on EPA internal policies and procedures—the day-to-day running of the Agency—and will not play a significant role in crafting new public policies.

One of her key tasks will be to restore the Agency's organizational health, which suffered during the previous administration, as respect for science and career staff advice declined and morale deteriorated. There is no person better suited to overseeing this internal restoration than Janet McCabe. Under her leadership I have every confidence that EPA will recover and soar.

I am very grateful that Janet has agreed to serve her country again in this new leadership role, and I am grateful to her family for their willingness to share her again with all of us.

Her personal integrity and work ethic is an inspiration to all public servants, and her willingness to engage all points of view is a boon to all who have strong interest in EPA's work.

So in closing, I want to urge my colleagues—all of our colleagues—to vote to confirm her today so that she can put her robust talents to work for all the American people.

With that, I yield the floor.

#### VOTE ON MCCABE NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the McCabe nomination?

Mr. CARPER. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Maryland (Mr. CRAMER), the Senator from Kentucky (Mr. PAUL), the Senator from South Dakota (Mr. ROUNDS), the Senator from Florida (Mr. SCOTT), and the Senator from Alabama (Mr. SHELBY).

Further, if present and voting, the Senator from Florida (Mr. SCOTT) would have voted "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 42, as follows:

[Rollcall Vote No. 169 Ex.]

#### YEAS—52

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Leahy	Smith
Casey	Lujan	Stabenow
Collins	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Ossoff	Wyden
Grassley	Padilla	
Hassan	Peters	

#### NAYS—42

Barrasso	Graham	Moran
Blackburn	Hagerty	Portman
Boozman	Hawley	Risch
Braun	Hoehn	Romney
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Johnson	Scott (SC)
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Lummis	Toomey
Daines	Manchin	Tuberville
Ernst	Marshall	Wicker
Fischer	McConnell	Young

#### NOT VOTING—6

Blunt	Paul	Scott (FL)
Cramer	Rounds	Shelby

The nomination was confirmed.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the

Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 68, Colin Hackett Kahl, of California, to be Under Secretary of Defense for Policy.

Charles E. Schumer, Patrick J. Leahy, Richard J. Durbin, Christopher A. Coons, Ron Wyden, Jack Reed, Benjamin L. Cardin, Michael F. Bennet, Tim Kaine, Christopher Murphy, Richard Blumenthal, Edward J. Markey, Cory A. Booker, Sherrod Brown, Bernard Sanders, Robert P. Casey, Jr., Martin Heinrich.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Colin Hackett Kahl, of California, to be Under Secretary of Defense for Policy, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Rhode Island (Mr. WHITEHOUSE) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from North Dakota (Mr. CRAMER), the Senator from Kentucky (Mr. PAUL), the Senator from South Dakota (Mr. ROUNDS), the Senator from Florida (Mr. SCOTT), and the Senator from Alabama (Mr. SHELBY).

Further, if present and voting, the Senator from Alabama (Mr. SHELBY) would have voted "nay" and the Senator from Florida (Mr. SCOTT) would have voted "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote or change their vote?

The yeas and nays resulted—yeas 49, nays 44, as follows:

[Rollcall Vote No. 170 Ex.]

#### YEAS—49

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Casey	Lujan	Smith
Coons	Manchin	Stabenow
Cortez Masto	Markey	Tester
Duckworth	Menendez	Van Hollen
Durbin	Merkley	Warner
Feinstein	Murphy	Warnock
Gillibrand	Murray	Warren
Hassan	Ossoff	Wyden
Heinrich	Padilla	
	Peters	

#### NAYS—44

Barrasso	Cotton	Hawley
Blackburn	Crapo	Hoehn
Boozman	Cruz	Hyde-Smith
Braun	Daines	Inhofe
Burr	Ernst	Johnson
Capito	Fischer	Kennedy
Cassidy	Graham	Lankford
Collins	Grassley	Lee
Cornyn	Hagerty	Lummis

Marshall	Romney	Tillis
McConnell	Rubio	Toomey
Moran	Sasse	Tuberville
Murkowski	Scott (SC)	Wicker
Portman	Sullivan	Young
Risch	Thune	

#### NOT VOTING—7

Blunt	Rounds	Whitehouse
Cramer	Scott (FL)	
Paul	Shelby	

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 44.

The motion is agreed to.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider on the McCabe nomination is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

#### EXECUTIVE CALENDAR

The clerk will report the nomination.

The bill clerk read the nomination of Colin Hackett Kahl, of California, to be Under Secretary of Defense for Policy.

The Senator from Maryland.

#### DRINKING WATER AND WASTEWATER INFRASTRUCTURE ACT OF 2021

Mr. CARDIN. Madam President, shortly, we are going to be taking up S. 914, the Drinking Water and Wastewater Infrastructure Act, and I would urge my colleagues to approve this legislation promptly.

The Environment and Public Works Committee reported this legislation by a unanimous vote. We don't get too many unanimous votes here on substantive, important legislation, and we were able to get that because this bill is truly bipartisan.

I want to congratulate the leadership of the Environment and Public Works Committee, Chairman CARPER, for the management of the committee to bring us together, and Senator CAPITO, the ranking Republican member. The two of them set the climate for us to work together to bring out a drinking water and wastewater infrastructure bill. I also want to compliment my counterpart in regards to the Subcommittee on Infrastructure, Senator CRAMER, who is the ranking member—I am the chair—and Senator DUCKWORTH, who is the chair of the Water Subcommittee, and Senator LUMMIS. All six of us worked together so that this Drinking Water and Wastewater Infrastructure Act really does represent the views of all the Members of the Senate, and it is a bill that is desperately needed by our communities.

Water infrastructure is critically important to our Nation. It is important for drinking water. It is important for how we treat our waste, wastewater. The needs are tremendous. The American Society of Civil Engineers gives us a report card grade of D in 2021. The gaps are billions of dollars a year necessary to bring our water infrastructure up to standard.

This legislation will move us in the right direction. It authorizes \$35 billion of water infrastructure, which is desperately needed in our communities. It will allow us to upgrade aging infrastructure, address the threat of climate